

Notice of Allowability

Application No.

09/673,702

Examiner

Wenpeng Chen

Applicant(s)

FAHRAEUS ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 5/9/2005.
2. ☒ The allowed claim(s) is/are 20, 23-28, 31-35, 37, 39-42, 44-45, 47, 52-54, and 60-82 (now renumbered as 2-8, 22-34, 1, 9-10, 21, 35-46, and 11-20 respectively).
3. ☒ The drawings filed on 19 October 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 5/9/2005
- ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

Wenpeng Chen
Primary Examiner
Art Unit: 2624

Examiner's Amendment/Statement

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

This examiner's amendment is based a telephone interview with Catherine M. Voisinnet on 7/21/2005.

2. The application has been amended as follows:

In claims:

-- In Claim 24, delete [the] in front of the word "recording" in line 3.

-- In Claim 27, insert - pre-existing - at the end of line 2.

-- In Claim 44, insert - predefined - at the end of line 3.

Examiner's Statement of Reasons for Allowance

3. Claims 1-19, 21-22, 29-30, 36, 38, 43, 46, 48-51, and 55-59 are canceled by the applicants.

Art Unit: 2624

4. Claims 20, 23-28, 31-35, 37, 39-42, 44-45, 47, 52-54, and 60-82 (now renumbered as 2-8, 22-34, 1, 9-10, 21, 35-46, and 11-20 respectively) are allowed.

The following is an examiner's statement of reasons for allowance. The prior art fails to teach the method of Claim 52 specifically comprises the following features in combination of other recited limitations:

-- *moving the imaging device with a hand which is carrying out the hand movement relative to the surface while recording with the imaging device a plurality of images of the preexisting pattern with partially overlapping contents;*

-- *comparing said images in pairs to determine, with the aid of the partially overlapping contents, a relative shift of the preexisting pattern between each pair of images;*

-- providing a description in digital format of how the imaging device has been moved over the surface based at least in part on the thus-determined relative shifts .

Because Claim 60 is a corresponding device claim of the method Claim 52, Claim 60 and its dependent claims are allowed with the same reason.

Although the combination of Perona et al. (US patent 6,044,165) and Taguchi et al. (US patent 5,748,808) cited previously teaches comparing contents of images of information written on a surface of a preexisting pattern, the comparison is done based on the written information, not on the image part of the preexisting pattern. None of Perona, Taguchi, or their combination teaches the feature of "*comparing images of the preexisting pattern in pairs, with the aid of the partially overlapping contents, to determine a relative shift, and then provide a description the handwritten information.*"

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

Art Unit: 2624

issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wenpeng Chen whose telephone number is 571-272-7431. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on 571-272-7437. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications. TC 2600's customer service number is 571-272-2600.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Wenpeng Chen
Primary Examiner
Art Unit 2624

July 22, 2005

